

REMARKS

Claims 1, 2, and 5-29 are pending in the present patent application. Claims 1, 2, 8, and 10-12 stand rejected; claims 5-7 and 9 stand objected to, and claims 28 and 29 are allowed. Claims 13-27 have been withdrawn from consideration. By this Amendment, claims 5, 6, and 9 have been amended, and claims 13-27 have been canceled. This application now includes claims 1, 2, and 5-12, 28, and 29.

Applicant thanks the Examiner for allowing claims 28 and 29.

In addition, Applicant thanks the Examiner for indicating that claims 5-7 and 9 contain allowable subject matter, and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have so amended claims 5, 6, and 9, and accordingly believe claims 5-7 and 9 to be in condition for allowance. Accordingly, Applicants respectfully request that the objection to claims 5-7 and 9 be withdrawn.

Applicants have canceled claims 13-27 to place the present application into condition for allowance. Applicants hereby expressly reserve the right to pursue claims 13-27 in a divisional application.

Claims 1, 2 and 8 were rejected under 35 U.S.C. §102(e) as being anticipated by Nagata, U.S. Patent No. 6,798,995 B2. Applicant respectfully requests reconsideration of the rejection of claims 1, 2 and 8 in view of the following.

Nagata is directed to managing, dispatching and replacing image forming devices, such as copying machines and printers, which need toner, ink, or other consumables (col. 1, lines 11-14). Machines are managed based on unique information that identifies the machines, and tells which machine has been delivered to which service receiver (col. 2, lines 45-49). When the remaining amount of a consumable article has reached a specified

value, the whole machine is replaced (col. 3, lines 54-56). If unregistered information is received, it can be determined that the machine is illegal, e.g., pirated (col. 6, lines 36-39).

Nagata discloses an embodiment wherein a service provider 10 provides a service to a contract signer 1, and delivers machine 2 (an image forming apparatus) to the contract signer 1 (col. 11, lines 31-39). Machine 2 is equipped with an ink container unit 6 as a consumable article. Service personnel of service provider 10 deliver machine 2 to contract signer 1 (col. 15, lines 17-18). When the ink is detected via a network as becoming near-empty, a replacement is dispatched, and service provider 10 collects the machine for recycling (col. 17, lines 4-41).

Applicant believes that claims 1, 2 and 8 patentably define Applicant's invention over Nagata for at least the reasons set forth below.

Claim 1 is directed to a method for facilitating printing. Claim 1 recites, among other things, providing to a consumer a first printer containing a fixed amount of imaging substance, wherein said imaging substance is contained in a reservoir; and configuring said first printer to restrict access to said reservoir to authorized personnel.

Although Nagata discloses encrypting data for security purposes, such encryption pertains to securing electronic data, and does not disclose, teach, or suggest restricting access to a reservoir within the context of Applicant's claimed invention.

However, the Examiner asserts that Nagata suggests configuring the first printer to restrict access to the reservoir to authorized personnel at col. 6, lines 29-39, which is asserted to suggest that gaining access to the reservoir (6) which contains the consumable article is eradicated when unregistered information is received. Applicants respectfully disagree with the Examiner's assertion for the reasons that follow.

Configuring a first printer to restrict access to the reservoir to authorized personnel in the context of Applicant's claimed invention includes physically securing the reservoir, for example via a secured compartment, and containing all internal parts of the printer in a secured compartment, for example, that is not readily separable from the printer base without the use of specialized tools or extraordinary measures (see Applicant's specification from page 6, line 24 to page 7, line 8). Thus, configuring a first printer to restrict access to the reservoir to authorized personnel in the context of Applicant's claimed invention is a physical securing of the reservoir.

However, Nagata does not disclose, teach, or suggest configuring a first printer to restrict access to the reservoir to authorized personnel within the context of Applicant's claimed invention.

For example, the relied-upon Nagata passage is reproduced as follows:

Moreover, when the obtained remaining amount of a consumable article has reached a specified value, an instruction is made to dispatch a new machine to the service receiver identified from the unique information on the machine; thereby the service receiver is provided with a service which frees the service receiver from the management of the consumable article and which ensures that the consumable article is never exhausted. If unregistered information is received, it can be determined that the machine is illegal, i.e., pirated, so pirated goods can be eradicated by means of warnings, etc.

Applicants respectfully submit that Patent and Trademark Office must determine the scope of claims in patent applications not solely on the basis of the claim language, but upon giving claims their broadest reasonable construction "in light of the specification as it would be interpreted by one of ordinary skill in the art." *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 [70 USPQ2d 1827] (Fed. Cir. 2004) (Emphasis added).

Applicants respectfully submit that the relied upon Nagata passage does not disclose, teach, or suggest configuring a first printer to restrict access to the reservoir to

authorized personnel in the context of Applicant's claimed invention by physical securing of the reservoir, which is what configuring a first printer to restrict access to the reservoir to authorized personnel in the context of Applicant's claimed invention entails.

Although the relied-upon Nagata passages discloses that if unregistered information is received, it can be determined that the machine is illegal, i.e., pirated, so pirated goods can be eradicated by means of warnings, such a disclosure does not disclose, teach, or suggest configuring the printer to restrict access to the reservoir in the context of Applicant's claimed invention, i.e., in light of Applicant's specification, but rather, provides only that it may be determined that a machine is illegal so that warnings may be provided in the event of pirated goods should unregistered information be received.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata does not disclose, teach, or suggest the subject matter of claim 1. Claim 1 is thus believed allowable in its present form.

Claims 2 and 8 are believed allowable due to their dependence on otherwise allowable base claim 1. In addition, claims 2 and 8 further and patentably define the invention over Nagata.

For example, claim 8 is directed to the method of claim 1, wherein said first printer is an ink jet printer including a printing mechanism, said method further comprising the step configuring said ink jet printer to restrict access to said printing mechanism and said reservoir.

For substantially the same reasons as set forth above with respect to claim 1, Nagata does not disclose, teach, or suggest restricting access to the printing mechanism and the reservoir.

Accordingly, claim 8 is believed allowable in its own right.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata does not disclose, teach, or suggest the subject matter of claims 1, 2 and 8, and thus respectfully request that the rejection of claims 1, 2, and 8 under 35 U.S.C. 102(e) be withdrawn.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nagata in view of Hiramatsu, et al., U.S. Patent No. 5,416,395 (hereinafter, Hiramatsu). Applicant respectfully requests reconsideration of the rejection of claim 10 in view of the following.

Hiramatsu is directed to a serial type recording apparatus (col. 1, lines 7-8), and to drive a carriage with high accuracy by switching a mode between closed-loop drive and stepwise motor control (col. 4, lines 19-21). Hiramatsu discloses that the invention is very effective in recording apparatuses which are operated not only in a single recording mode to print a principal color, but also in a mode of producing composite colors (col. 22, lines 24-38).

Applicant believes that claim 10 patentably defines Applicant's invention over Nagata in view of Hiramatsu for at least the reasons set forth below.

Claim 10 is directed to the method of claim 1, further comprising the step of configuring the first printer to operate only in a single printing mode.

As set forth above with respect to claim 1, Nagata does not disclose, teach, or suggest the subject matter of claim 1. Applicant respectfully submits that Hiramatsu does not overcome the deficiency of Nagata as applied to claim 1, nor does the Examiner assert as much. Rather, the Examiner relies on Hiramatsu for the asserted teaching of operating an inkjet printer in a single printing mode.

Accordingly, claim 10 is believed allowable due to its dependence on otherwise allowable base claim 1.

In addition, Nagata does not disclose, teach, or suggest configuring the first printer to operate only in a single printing mode, as acknowledged by the Examiner.

In contrast to configuring the first printer to operate only in a single printing mode, as recited in claim 10, Hiramatsu discloses that the invention is very effective in recording apparatuses which are operated not only in a single recording mode to print a principal color, but also in a mode of producing composite colors (col. 22, lines 24-38).

Thus, the Hiramatsu recording apparatus may be operated in at least two operating modes, as opposed to being configured to operate only in a single printing mode, as recited in claim 10.

Although the Examiner asserts that one cannot show non-obviousness by attacking references individually where the rejection is based on a combination of references, as set forth above, Applicant respectfully submits that neither of the cited references discloses, teaches, or suggests operating only in a single printing mode, as recited in claim 10, and accordingly, the combination of Nagata and Hiramatsu would not yield Applicant's claimed invention.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Hiramatsu, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 10.

Claim 10 is thus believed allowable in its present form, and Applicant thus respectfully requests that the rejection of claim 10 under 35 U.S.C. 103(a) be withdrawn.

Claims 11 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nagata in view of Buibas, et al., U.S. Patent No. 6,827,419 (hereinafter, Buibas).

Applicant respectfully requests reconsideration of the rejection of claims 11 and 12 in view of the following.

Buibas is directed to aligning media for printing on a printer (col. 1, lines 5-6). Buibas discloses a prior art method of performing alignment for paper, but that such method is not suitable when costs of the media are high, such as compact disk (CD), digital video disk (DVD), and video compact disk (VCD) (col. 1, lines 16-41). The Buibas disclosed implementation is for printing on round media, such as CDs, DVDs, and VCDs, but may be used for other media (col. 2, lines 19-23). Buibas defines that the term “media” includes round media as well as other media shapes and formats (col. 2, lines 23-27).

Applicant believes that claim 11 patentably defines Applicant’s invention over Nagata in view of Buibas for at least the reasons set forth below.

Claim 11 is directed to method of claim 1, further comprising the step of configuring said first printer to use only a single print media type.

As set forth above with respect to claim 1, Nagata does not disclose, teach, or suggest the subject matter of claim 1. Applicant respectfully submits that Buibas does not overcome the deficiency of Nagata as applied to claim 1, nor does the Examiner assert as much. Rather, the Examiner relies on Buibas for the asserted teaching of the first printer being configured to operate on only a single media type of a single size.

Accordingly, claim 11 is believed allowable due to its dependence on otherwise allowable base claim 1.

In addition, Nagata does not disclose, teach, or suggest configuring the first printer to use only a single print media type, as acknowledged by the Examiner.

In contrast to configuring the first printer to use only a single print media type, as recited in claim 11, the Buibas disclosed implementation is for printing on round media, such as CDs, DVDs, and VCDs, but may be used for other media. (col. 2, lines 19-23). Thus, Buibas discloses more than one media type, e.g., CDs, DVDs, and VCDs. In addition, Buibas defines that the term “media” includes round media as well as other media shapes and formats (col. 2, lines 23-27). Consequently, Buibas discloses printing on more than one print media type.

Thus, Applicant respectfully submits that it is clear that Buibas does not disclose, teach, or suggest configuring the first printer to use only a single print media type.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Buibas, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 11.

Claim 12 is directed to the method of claim 1, further comprising the step of configuring said first printer to use only a single print media size.

As set forth above with respect to claim 1, Nagata does not disclose, teach, or suggest the subject matter of claim 1. Applicant respectfully submits that Buibas does not overcome the deficiency of Nagata as applied to claim 1, nor does the Examiner assert as much. Rather, the Examiner relies on Buibas for the asserted teaching of the first printer being configured to operate on only a single media type of a single size.

Accordingly, claim 12 is believed allowable due to its dependence on otherwise allowable base claim 1.

In addition, Nagata does not disclose, teach, or suggest configuring the first printer to use only a single print media size, as acknowledged by the Examiner.



In contrast to configuring the first printer to use only a single print media size, as recited in claim 12, Buibas defines that the term “media” includes round media as well as other media shapes and formats (col. 2, lines 23-27). Although the Buibas Fig. 1 depicts a round media in the form of CDs, DVDs, and VCDs, Buibas does not disclose, teach, or suggest the size of the round media, or that the Buibas apparatus is configured to use only one size of the round media. It is well known in the art that such disks are commercially available in different sizes, e.g., 3 inch disks and 5 inch disks. However, the Buibas disclosure does not limit the size of the disk to one particular size.

In addition, by definition, “other media shapes,” as disclosed by Buibas, inherently purports different sizes, since different shapes are, by definition, different sizes.

Accordingly, Buibas does not disclose, teach, or suggest configuring the first printer to use only a single print media size.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Buibas, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 12.

Accordingly, for at least the reasons set forth above, Applicant respectfully submits that Nagata in view of Buibas, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claims 11 and 12. Claims 11 and 12 are thus believed allowable in their present respective forms, and Applicant thus respectfully requests that the rejection of claims 11 and 12 under 35 U.S.C. 103(a) be withdrawn.


For the foregoing reasons, Applicant submits that no combination of the cited references teaches, discloses or suggests the subject matter of the appended elected claims. The appended elected claims are therefore in condition for allowance, and Applicant

respectfully requests withdrawal of all rejections and objection, and allowance of the appended elected claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (317) 894-0801.

Respectfully submitted,

  
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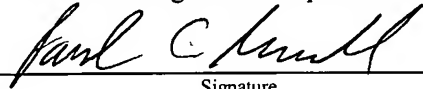
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